

MOTION TO TABLE OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 191, answered “present” 1, not voting 15, as follows:

[Roll No. 107]

YEAS—221

Abercrombie	Gordon	Murphy, Patrick
Ackerman	Green, Al	Murtha
Allen	Green, Gene	Nadler
Altire	Grijalva	Napolitano
Andrews	Gutierrez	Neal (MA)
Arcuri	Hall (NY)	Oberstar
Baca	Hare	Obey
Baird	Harman	Olver
Baldwin	Hastings (FL)	Ortiz
Bean	Herseth Sandlin	Pallone
Becerra	Higgins	Pascarell
Berkley	Hill	Pastor
Berman	Hinchey	Paul
Berry	Hinojosa	Payne
Bishop (GA)	Hirono	Perlmutter
Bishop (NY)	Hodes	Peterson (MN)
Blumenauer	Holden	Pomeroy
Boren	Holt	Price (NC)
Boswell	Honda	Rahall
Boucher	Hooley	Reyes
Boyd (FL)	Hoyer	Richardson
Boyd (KS)	Inslee	Rodriguez
Brady (PA)	Israel	Ross
Braley (IA)	Jackson (IL)	Rothman
Brown, Corrine	Jackson-Lee	Roybal-Allard
Butterfield	(TX)	Ruppersberger
Capps	Jefferson	Ryan (OH)
Capuano	Johnson (GA)	Salazar
Cardoza	Jones (OH)	Sanchez, Linda
Carnahan	Kagen	T.
Carney	Kanjorski	Sanchez, Loretta
Castor	Kaptur	Sarbanes
Chandler	Kennedy	Schakowsky
Clarke	Kildee	Schiff
Clay	Kilpatrick	Schwartz
Cleaver	Kind	Scott (GA)
Clyburn	Klein (FL)	Scott (VA)
Cohen	Kucinich	Serrano
Conyers	Langevin	Shea-Porter
Cooper	Larsen (WA)	Sherman
Costa	Larson (CT)	Shuler
Costello	Lee	Sires
Courtney	Levin	Skelton
Cramer	Lewis (GA)	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Loeb sack	Snyder
Cummings	Lofgren, Zoe	Space
Davis (AL)	Lowey	Spratt
Davis (CA)	Lynch	Stark
Davis (IL)	Mahoney (FL)	Stupak
DeFazio	Maloney (NY)	Sutton
DeGette	Markey	Tanner
Delahunt	Marshall	Tauscher
DeLauro	Matsui	Taylor
Dicks	McCarthy (NY)	Thompson (CA)
Dingell	McCollum (MN)	Thompson (MS)
Doggett	McDermott	Tierney
Donnelly	McGovern	Towns
Doyle	McIntyre	Tsongas
Edwards	McNerney	Udall (CO)
Ellison	McNulty	Udall (NM)
Ellsworth	Meek (FL)	Van Hollen
Emanuel	Meeks (NY)	Velázquez
Engel	Melancon	Visclosky
Eshoo	Michaud	Walz (MN)
Etheridge	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Mitchell	Waters
Filner	Mollohan	Watson
Frank (MA)	Moore (KS)	Watt
Giffords	Moore (WI)	Waxman
Gilchrest	Moran (VA)	Weiner
Gillibrand	Murphy (CT)	

Welch (VT)
Wexler

Wilson (OH)
Wu

Wynn
Yarmuth

NAYS—191

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Crenshaw
Cubbin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella

Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)

ANSWERED “PRESENT”—1

Johnson (IL)

NOT VOTING—15

Brown-Waite,
Ginny
Gonzalez
Hulshof
Johnson, E. B.
Keller
Linder
McCrery
Poe
Pryce (OH)
Rangel
Rush
Sestak
Solis
Woolsey
Young (FL)

□ 1440

Mr. BURGESS changed his vote from “yea” to “nay.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIAHRT. Mr. Speaker, on rollcall Nos. 105–107, I was unavoidably detained. Had I been present, I would have voted “aye” on rollcall 105, “no” on rollcall 106, and “nay” on rollcall 107.

MOTION TO RECOMMIT OFFERED BY MR. KUHLMAN OF NEW YORK

Mr. KUHLMAN of New York. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KUHLMAN of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kuhl of New York moves to recommit the bill H.R. 2857 to the Committee on Education and Labor with instructions to report the same back to the House promptly with the following amendments:

Page 123, line 10, strike the quotation marks and period.

Page 123, after line 10, insert the following new section:

“SEC. 189D. CRIMINAL HISTORY CHECKS.

“(a) IN GENERAL.—Entities selecting individuals to serve in a position in which the individual receives a Corporation grant-funded living allowance, stipend, education award, salary, or other remuneration in a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

“(b) REQUIREMENTS.—A criminal history check shall, except in cases approved for good cause by the Corporation, include a name-based search of the Department of Justice National Sex Offender Public Registry and—

“(1) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

“(2) a Federal Bureau of Investigation fingerprint check.

“(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

“(1) refuses to consent to the criminal history check described in subsection (b);

“(2) makes a false statement in connection with such criminal history check;

“(3) is registered, or is required to be registered, on a State sex offender registry or the national sex offender registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

“(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.”.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. KUHLMAN of New York. Thank you, Mr. Speaker.

I rise to offer this motion to recommit to strengthen the bill before us, H.R. 2857, and the national service laws to ensure that we are all doing what we can to protect those individuals being served by these programs and by the Federal investment in national service.

Sparked by a 2005 Inspector General report that found rampant, and I recognize and emphasize that word “rampant,” noncompliance with individual grant provisions requiring background checks, the Corporation for National Community Service recently completed a rulemaking process to institute background checks for any individuals seeking a federally funded national service position within the Senior Companion and the Foster Grandparent program and from the